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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,646	02/21/2001	Stacy Rhea Steuart	52493.000127	7075
7590 Jennifer A. Albert, Esq. Hunton & Williams Suite 1200 1900 K Street, N.W. Washington, DC 20006				
11/06/2008				
EXAMINER				
ADE, OGER GARCIA				
ART UNIT		PAPER NUMBER		
3687				
MAIL DATE		DELIVERY MODE		
11/06/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

09/788,646

**Applicant(s)**

STEUART ET AL.

**Examiner**

Garcia Ade

**Art Unit**

3687

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-3, 7, 8, 12-14, 16, 21-24 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 54 and 55 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 7, 8, 12-14, 16, 21, 22, 24 and 28-30 is/are rejected.
- 7) ☒ Claim(s) 3 and 23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 27<sup>th</sup>, 2007 has been entered.
2. The Examiner withdraws the 112 rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,2,7,8,12-14,16,21,22,24,28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bennett et al. in view of Hanby et al.

Bennett discloses a dedicated terminal 1003 at which data is exchanged. As such, it discloses providing sales-related data over a network (SHIPPING OR

BUY/BIDDING), the sales related data being transmitted from a supplier (iShip) to a broker (shipper PC 1003) and being customized for the broker (user enters provider's system through a hypertext e-mail link), receiving at a supplier a request for sales-related data from a user associated with a broker (user uses the computer of the broker to get nearest shipping location based on e mail address), the request for sales related data input from a broker network address being utilized by the user for the transmission of the request for sales related data (see, column 20, line 42, shipping center data defaults to preset origin zip code locations based on e-mail address recognized at log on); accessing broker information from a broker information database based on the broker network address (ship center database is accessed for shipping location); displaying to the user at least a portion of the broker information with at least a portion of related information (system displays the location of nearest shipping location, column 20); receiving at the supplier request-related information from the user (user sends weight of package information to system).

But Bennett does not explicitly disclose an insurance based inquiry system and thus does not explicitly disclose accessing state related information that includes at least one of the users state of residence and the state in which the broker is licensed and generating the sales-related data based on the received request-related information based on the state related information. However, Hanby et al. do disclose an internet based insurance sales method/system wherein the quote engine the require rule to effect the desired quote see, column 6 line 35; official notice is taken of the state based rate for insurance policies. It would be obvious to modify Bennet to include the

internet based insurance purchasing application taught by Hanby et al. the motivation being the rapidity of ordering before rate changes occur. The article claims of 21 et seq. are deemed met by the function described above in terms of the apparatus, which performs the same.

Regarding claims 2 and 22, Bennett discloses asking the user to select the user's state of residence; and receiving the user's state of residence selection, and the user's zip code caused the closest most location to be displayed thereby answering wherein the step of generating the sales-related data includes the sub-step of determining the sales-related data to generate based on the user's state of residence selection.

Regarding claim 7, Bennett discloses original zip code, which answers to receiving a state of residence.

Regarding claim 8, the freight charge is read as sales-related duty.

Regarding claims 12-14, and 28-30: official notice is taken of the old and notorious practice of generating an error message, returning incomplete forms and generating a decline message for unacceptable responses.

Regarding claims 16 and 35: Hanby et al. disclose including broker contact information at column 4.

***Allowable Subject Matter***

4. Claims 54 and 55 are allowed.

5. Claims 3 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Response to Arguments***

6. Applicant's arguments filed on March 27<sup>th</sup>, 2007 have been fully considered but they are not persuasive.

7. Applicant argue that Bennet does not disclose "receiving, at a supplier, a request for sales-related data from a user associated with a broker, the request for sales-related data being transmitted from a broker network address of the broker, the broker network address being utilized by the user for the transmission of the request for sales-related data". The Examiner respectfully disagrees. Bennet's invention discloses a system and method that apply for requesting sales-related data selected by each of a plurality of users, in response to each particular user's request. Figures 33a and 33b of Bennet represent sales-related database that is store by the system regarding a particular request.

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Garcia Ade whose telephone number is 571.272.5586. The examiner can normally be reached on M-F 8:30AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Gart can be reached on 571.272.3955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Matthew S Gart/  
Supervisory Patent Examiner, Art Unit 3687

Garcia Ade  
Examiner  
Art Unit 3627

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